



# London Olympic Games and Paralympic Games Act 2006

## 2006 CHAPTER 12

### *Advertising*

#### **22 Enforcement: power of entry**

- (1) A constable<sup>F1</sup>... may—
  - (a) enter land or premises on which they reasonably believe a contravention of regulations under section 19 is occurring (whether by reason of advertising on that land or premises or by the use of that land or premises to cause an advertisement to appear elsewhere);
  - (b) remove, destroy, conceal or erase any infringing article;
  - (c) when entering land under paragraph (a), be accompanied by one or more persons for the purpose of taking action under paragraph (b);
  - (d) use, or authorise the use of, reasonable force for the purpose of taking action under this subsection.
- (2) The power to enter land or premises may be exercised only at a time that a constable<sup>F1</sup>... thinks reasonable having regard to the nature and circumstances of the contravention of regulations under section 19.
- (3) Before entering land or premises a constable<sup>F1</sup>... must take reasonable steps to—
  - (a) establish the identity of an owner, occupier or person responsible for the management of the land or premises or of any infringing article on the land or premises, and
  - (b) give any owner, occupier or responsible person identified under paragraph (a) such opportunity as seems reasonable to the constable<sup>F1</sup>... in the circumstances of the case to end the contravention of the regulations (whether by removing, destroying or concealing any infringing article or otherwise).
- (4) The power to enter premises may be exercised in relation to a dwelling only in accordance with a warrant issued by a justice of the peace; and a justice of the peace may issue a warrant only if satisfied on the application of a constable<sup>F1</sup>... that—

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*Changes to legislation:* There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Section 22. (See end of Document for details)

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- (a) there are reasonable grounds to believe a contravention of regulations under section 19 is occurring in the dwelling or on land that can reasonably be entered only through the dwelling,
  - (b) the constable <sup>F1</sup>... has complied with subsection (3),
  - (c) the constable <sup>F1</sup>... has taken reasonable steps to give notice to persons likely to be interested of his intention to apply for a warrant, and
  - (d) that it is reasonable in the circumstances of the case to issue a warrant.
- (5) The power to remove an article may be exercised only if the constable <sup>F1</sup>... thinks it necessary for the purpose of—
- (a) ending the contravention of regulations under section 19,
  - (b) preventing a future contravention of the regulations, [<sup>F2</sup>or]
  - (c) enabling the article to be used as evidence in proceedings for an offence under section 21, [<sup>F3</sup> or]
  - (d) [<sup>F3</sup>enabling the article to be forfeited in accordance with section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6).]
- <sup>F4</sup>(6) .....
- (7) Having exercised a power under this section a constable <sup>F5</sup>...—
- (a) shall take reasonable steps to leave the land or premises secure, and
  - (b) shall comply with any provision of regulations under section 19 about informing specified persons of what the constable <sup>F5</sup>... has done.
- (8) Regulations under section 19 shall include provision enabling a person whose property is damaged in the course of the exercise or purported exercise of a power under this section (other than a person responsible for a contravention of the regulations or for the management of an infringing article) to obtain compensation from [<sup>F6</sup>a local policing body][<sup>F7</sup>or a police authority]; and the regulations may, in particular, include provision—
- (a) conferring jurisdiction on a court or tribunal;
  - (b) about appeals.
- (9) A [<sup>F8</sup>local policing body][<sup>F7</sup>or a police authority] may recover from a person responsible for the contravention of the regulations, as if it were a debt, the reasonable costs of taking action under this section.
- (10) In this section—
- <sup>F9</sup>...
- “infringing article” means—
- (a) an advertisement which contravenes regulations under section 19, and
  - (b) any other thing [<sup>F10</sup>, or an animal,] that constitutes a contravention of regulations under section 19 or is being used in connection with a contravention of the regulations.

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#### Textual Amendments

- F1** Words in s. 22(1)-(5) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), [Sch. para. 4\(a\)](#)
- F2** Word in s. 22(5) inserted (E.W.S.) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), [ss. 1\(2\)\(a\)](#), 10(1)

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- F3** S. 22(5)(d) and preceding word omitted (E.W.S.) (14.2.2012) by virtue of London Olympic Games and Paralympic Games (Amendment) Act 2011 (c. 22), **ss. 1(2)(b)**, 10(1)
- F4** S. 22(6) omitted (2.12.2014) by virtue of The Olympic Delivery Authority (Dissolution) Order 2014 (S.I. 2014/3184), art. 1(2), **Sch. para. 4(b)**
- F5** Words in s. 22(7) omitted (2.12.2014) by virtue of The Olympic Delivery Authority (Dissolution) Order 2014 (S.I. 2014/3184), art. 1(2), **Sch. para. 4(a)**
- F6** Words in s. 22(8) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 356(a)**; S.I. 2011/3019, art. 3, Sch. 1
- F7** Words in s. 22(8)(9) substituted (2.12.2014) by The Olympic Delivery Authority (Dissolution) Order 2014 (S.I. 2014/3184), art. 1(2), **Sch. para. 4(c)**
- F8** Words in s. 22(9) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 356(b)**; S.I. 2011/3019, art. 3, Sch. 1
- F9** Definition in s. 22(10) omitted (2.12.2014) by virtue of The Olympic Delivery Authority (Dissolution) Order 2014 (S.I. 2014/3184), art. 1(2), **Sch. para. 4(d)**
- F10** Words in s. 22(10) inserted (E.W.S.) (14.2.2012) by London Olympic Games and Paralympic Games (Amendment) Act 2011 (c. 22), **ss. 1(4)(b)**, 10(1)

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**Commencement Information**

- I1** S. 22 in force at 30.5.2006 for E.W.N.I. by S.I. 2006/1118, **art. 3(1)**
- I2** S. 22 in force at 31.12.2006 for S. by S.S.I. 2006/611, **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Section 22.